Commission submitted its 184th Report on "Legal Education & Professional Training and Proposals for Amendments to the Advocates Act, 1961 and the University Grants Commission Act, 1956" on 27-01-2003 and 185th Report on "Review of Indian Evidence Act, 1872" on 26-03-2003. Both the Reports have been sent to Department's empanelled Hindi Translator for translation on 30-01-2003 and 27-03-2003 respectively

**SC's observations on punishment awarded to a delinquent official**

3205. SHRI VIJAY J. DARDA : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government are aware of the recent observations of the Supreme Court that High Courts should not interfere with Punishment awarded to a delinquent Official after proper enquiry unless such a decision was illogical or suffering from procedural impropriety or was shocking to the conscience of the Court, while remitting the matter of High Court for fresh consideration; and

(b) if so, the reaction of Government in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY) : (a) In the case of the Regional Manager & Disciplinary Authority, State Bank of India, Hyderabad and Another *Vs.* S. Mohammed Gaffar (2002) 7 Supreme Court cases 168, the Hon'ble Supreme Court of India observed as under in para 10 of the judgment :

> "The High Court seems to have overlooked the settled position that in departmental proceedings, insofar as imposition of penalty or punishment is concerned, unless the punishment or penalty imposed by the disciplinary or Appellate Authority is either impermissible or such that it shocks the conscience of the High Court, it should not normally interfere with the same or substitute its own opinion and either impose some other punishment or penalty or direct the authority to impose a particular nature or category of punishment of its choice".

(b) The Supreme Court, in its above judgment, has only reiterated the settled legal position.